



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,430	08/22/2003	Brandon Stuart Burroughs	UTL00329	9170
32968	7590	04/29/2010	EXAMINER	
KYOCERA INTERNATIONAL INC.			PIZIALI, JEFFREY J	
INTELLECTUAL PROPERTY DEPARTMENT			ART UNIT	PAPER NUMBER
P.O. BOX 928289			2629	
SAN DIEGO, CA 92192			MAIL DATE	DELIVERY MODE
			04/29/2010	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/646,430	BURROUGHS, BRANDON STUART
<b>Examiner</b>	<b>Art Unit</b>	
Jeff Piziali	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 3/1/10, 11/18/09, and 6/29/09.
- 2a) This action is **FINAL**.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-8 and 10-15 is/are pending in the application.
  - 4a) Of the above claim(s) 3 and 10-15 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,2 and 4-8 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 11 August 2008 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____.	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election of ***Invention I (claims 1, 2, and 4-8)*** in the reply filed on *1 March 2010* is acknowledged and appreciated.

Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

2. ***Claims 10, 11, and 13-15 are withdrawn*** from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on *1 March 2010*.

### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. ***Claims 1, 2, and 4-8*** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

The claim contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention.

Claim 1 newly recites the subject matter: "*a numeric keypad including a plurality of number input keys corresponding to numbers 0-9, all the number input keys arranged together to form a rectangular configuration*" (lines 16-18).

However, such subject matter is not found in the original disclosure of the invention.

On the contrary, Figure 2 shows the symbols "\*" and "#" contributing to the illustrated "rectangular configuration." The number keys alone do not form a "rectangular configuration" as claimed.

Claim 2 newly recites the subject matter: "*the alphabetical keypad has a QWERTY layout, and the left set of one or more rows of alphabetical input keys include a top row with alphabetical input keys corresponding to letters Q, W, E, R, T, Y*" (lines 1-4).

However, such subject matter is not found in the original disclosure of the invention.

To the contrary, Figure 2 shows the letter "Y" as a member of the right set (*not the left set, as instantly claimed*) of alphabetical input key rows.

5. The remaining claims are rejected under 35 U.S.C. 112, first paragraph, as being dependent upon rejected base claims.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. *Claims 1, 2, and 4-8* are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01.

An omitted structural cooperative relationship results from the claimed subject matter: "*a centerline*" (*claim 1, line 6*) and "*a common centerline*" (*claim 1, line 23*).

It would be unclear to one having ordinary skill in the art whether the above limitations are intended to be identical to, or distinct from, one another.

9. Claim 6 recites the limitation "*the centerline*" (*claim 6, line 4*). There is insufficient antecedent basis for this limitation in the claim.

It would be unclear to one having ordinary skill in the art whether this limitation is intended to refer to the earlier recited, "*a centerline*" (*claim 1, line 6*) and/or "*a common centerline*" (*claim 1, line 23*).

10. The remaining claims are rejected under 35 U.S.C. 112, second paragraph, as being dependent upon rejected base claims.

11. The claims are rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

As a courtesy to the Applicant, the examiner has attempted to also make rejections over prior art -- based on the examiner's best guess interpretations of the invention that the Applicant is intending to claim.

However, the indefinite nature of the claimed subject matter naturally hinders the Office's ability to search and examine the application.

Any instantly distinguishing features and subject matter that the Applicant considers to be absent from the cited prior art is more than likely a result of the indefinite nature of the claims.

The Applicant is respectfully requested to correct the indefinite nature of the claims, which should going forward result in a more precise search and examination.

#### ***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. *Claims 1, 2, and 4-8* are rejected under 35 U.S.C. 103(a) as being unpatentable over ***Hughes et al (US 5,754,655 A)*** in view of ***Cargin et al (US 6,023,147 A)***, ***Makela et al (US 6,047,196 A)***, and ***Kang (US 2003/0063070 A1)***.

Regarding claim 1, ***Hughes*** discloses a mobile phone [e.g., Fig. 13: 400], the mobile phone including

an upper phone member with a display [e.g., *Fig. 13: 12*] and a lower phone member, the mobile phone comprising:

an alphabetical keypad [e.g., *Fig. 13: 14*] including a plurality of alphabetical input keys corresponding to alphabet letters A-Z,

the alphabetical keypad including a left set [e.g., *Fig. 13: Q, W, E, R, T*] of one or more rows of alphabetical input keys and a right set [e.g., *Fig. 13: Y, U, I, O, P*] of one or more rows of alphabetical input keys separated by a centerline [e.g., *Fig. 13: separating the T & Y keys*],

the left set of one or more rows of alphabetical input keys including a top row [e.g., *Fig. 13: Q, W, E, R, T*] with a right-most key [e.g., *Fig. 13: T*],

the right set of one or more rows of alphabetical input keys including a top row [e.g., *Fig. 13: Y, U, I, O, P*] with a left-most key [e.g., *Fig. 13: Y*], and

the right-most key of the top row of the left set of one or more rows of alphabetical input keys being immediately adjacent to the left-most key of the top row of the right set of one or more rows of alphabetical input keys,

~~the left set of one or more rows of alphabetical input keys arranged in one or more respective arcs having one or more respective arc centers located to the left of the centerline, and~~

~~the right set of one or more rows of alphabetical input keys arranged in one or more respective arcs having one or more respective arc centers located to the right of the centerline;~~  
and

a numeric keypad [e.g., *Fig. 13: 16*] including a plurality of number input keys corresponding to numbers 0-9,

all the number input keys arranged together to form a rectangular configuration and distinct from the left and right sets of one or more rows of alphabetical input keys, wherein the left set of one or more rows of alphabetical input keys and the right set of one or more rows of alphabetical input keys are sandwiched between the display and the numeric keypad, and

the alphabetical keypad, the display, and the numeric keypad are vertically aligned and include a common centerline [e.g., *Fig. 13: vertical line dividing the cellular phone 400 in half*] through the mobile phone (see the entire document, including Column 3, Lines 35-60 and Column 9, Line 8 - Column 11, Line 40).

Should it be shown that **Hughes** discloses *the alphabetical keypad, display, and numeric keypad being vertically aligned and including a common centerline*, as instantly claimed, with insufficient specificity:

**Cargin** discloses a mobile phone [e.g., *Fig. 13: 310*] (e.g., see Column 11, Line 61), the mobile phone including

an upper phone member with a display [e.g., *Fig. 13: 319*] and a lower phone member, the mobile phone comprising:

an alphabetical keypad [e.g., *Fig. 13: 322*] including a plurality of alphabetical input keys,

the alphabetical keypad including a left set of one or more rows of alphabetical input keys and a right set of one or more rows of alphabetical input keys separated by a centerline [e.g., *Fig. 13: vertical line dividing the terminal 318 in half*],

the left set of one or more rows of alphabetical input keys including a top row with a right-most key,

the right set of one or more rows of alphabetical input keys including a top row with a left-most key, and

a numeric keypad [*e.g., Fig. 13: 321*] including a plurality of number input keys corresponding to numbers 0-9,

all the number input keys arranged together to form a rectangular configuration and distinct from the left and right sets of one or more rows of alphabetical input keys,

wherein the left set of one or more rows of alphabetical input keys and the right set of one or more rows of alphabetical input keys are sandwiched between the display and the numeric keypad, and

the alphabetical keypad, the display, and the numeric keypad are vertically aligned and include a common centerline [*e.g., Fig. 13: vertical line dividing the terminal 318 in half*] through the mobile phone (*see the entire document, including Column 20, Line 25 - Column 24, Line 2*).

**Hughes** and **Cargin** are analogous art, because they are from the shared inventive field of portable, handheld communication devices.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to center **Hughes'** display and alphabetical/numeric keypads about a common centerline as taught by **Cargin**, so as to maximize display and keypad width and enhancing user interaction convenience.

Should it be shown that the combination of **Hughes** and **Cargin** discloses *upper and lower phone members*, as instantly claimed, with insufficient specificity:

**Makela** discloses a mobile phone [e.g., Fig. 1: 1], the mobile phone including an upper phone member [e.g., Fig. 1: *top half above the hinge*] with a display [e.g., Fig. 1: "Hi Mom..."] and a lower phone member [e.g., Fig. 1: *bottom half below the hinge*], the mobile phone comprising: an alphabetical keypad [e.g., Fig. 1: 3] including a plurality of alphabetical input keys corresponding to alphabet letters A-Z, the alphabetical keypad including a left set of one or more rows of alphabetical input keys and a right set of one or more rows of alphabetical input keys separated by a centerline [e.g., Fig. 1: *vertical line dividing the phone 1 in half: 2-5-8-0-E-I-F-K-C-,SPACE*], the left set of one or more rows of alphabetical input keys including a top row with a right-most key, the right set of one or more rows of alphabetical input keys including a top row with a left-most key, and a numeric keypad [e.g., Fig. 1: 2] including a plurality of number input keys corresponding to numbers 0-9, all the number input keys arranged together to form a rectangular configuration and distinct from the left and right sets of one or more rows of alphabetical input keys,

the alphabetical keypad, the display, and the numeric keypad are vertically aligned and include a common centerline [e.g., *Fig. 1: vertical line dividing the phone 1 in half: 2-5-8-0-E-I-F-K-C-,SPACE*] through the mobile phone (see the entire document, including Column 1, Line 4 - Column 2, Line 65).

**Hughes**, **Cargin**, and **Makela** are analogous art, because they are from the shared inventive field of portable, handheld communication devices.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to center **Hughes'** display and alphabetical/numeric keypads about a common centerline and divide the phone into upper and lower hinged members as taught by **Makela**, so as to allow the phone to close shut and protect the display and keypads from unintended, incidental contact.

**Hughes** does not appear to expressly disclose *the alphabetical input keys arranged in arcs*, as instantly claimed.

However, **Kang** discloses a mobile phone [e.g., see *Fig. 5: 24*] (e.g., see Paragraph 21), the mobile phone including

an upper phone member with a display [e.g., see *Fig. 5: 44*] and a lower phone member, the mobile phone comprising:

an alphabetical keypad [e.g., *Fig. 3: 32; Fig. 5: 34*] including a plurality of alphabetical input keys corresponding to alphabet letters A-Z,

the alphabetical keypad including a left set [e.g., *Fig. 3: 8*] of one or more rows of alphabetical input keys and

a right set [e.g., *Fig. 3: 6*] of one or more rows of alphabetical input keys separated by a centerline [e.g., *Fig. 3: 9*],

the left set of one or more rows of alphabetical input keys including a top row [e.g., *Figs. 3, 5: top left row 16*] with a right-most key [e.g., *Fig. 5: T*],

the right set of one or more rows of alphabetical input keys including a top row [e.g., *Figs. 3, 5: top right row 10*] with a left-most key [e.g., *Fig. 5: Y*], and

the right-most key of the top row of the left set of one or more rows of alphabetical input keys being immediately adjacent to the left-most key of the top row of the right set of one or more rows of alphabetical input keys,

the left set of one or more rows of alphabetical input keys arranged in one or more respective arcs [e.g., *Fig. 3: left side arcs 40*] having one or more respective arc centers located to the left of the centerline, and

the right set of one or more rows of alphabetical input keys arranged in one or more respective arcs [e.g., *Fig. 3: right side arcs 40*] having one or more respective arc centers located to the right of the centerline; and

a numeric keypad [e.g., *Fig. 5: top row of 34*] including a plurality of number input keys corresponding to numbers 0-9,

the alphabetical keypad, the display, and the numeric keypad are vertically aligned and include a common centerline [e.g., *Fig. 5: middle, vertical dashed line*] through the mobile phone (*see the entire document, including Paragraphs 16-17 and 20-21*).

**Hughes, Cargin, Makela, and Kang** are analogous art, because they are from the shared inventive field of portable, handheld communication devices.

Therefore, firstly, it would have been obvious to one having ordinary skill in the art at the time of invention to use **Kang's** "arced QWERTY keyboard" in the place of **Hughes'** QWERTY keyboard, so that typing is optimized for the user's thumbs.

Secondly, it would have been obvious to one of ordinary skill in the art at the time of invention because all the claimed elements were known in the prior art and one skilled in the art could have combined the keyboard elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

Thirdly, it would have been obvious to one of ordinary skill in the art at the time of invention, because the substitution of one known keyboard arrangement for another would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

Fourthly, it would have been obvious to one of ordinary skill in the art at the time of invention, because the technique for improving this particular class of keyboard device was part of the ordinary skill in the art, in view of the teaching of the technique for improvement in other situations.

Fifthly, it would have been obvious to one of ordinary skill in the art at the time of invention, because this particular known keyboard arrangement technique was recognized as part of the ordinary capabilities of one skilled in the art.

Sixthly, it would have been obvious to one of ordinary skill in the art at the time of invention, because a person of ordinary skill has good reason to pursue the known options within his or her technical grasp. If this leads to the anticipated success, it is likely the product is not of innovation but of ordinary skill and common sense.

Seventhly, it would have been obvious to one of ordinary skill in the art at the time of invention, because design incentives or market forces provided a reason to make a keyboard adaptation, and the invention resulted from application of the prior knowledge in a predictable manner.

See KSR International Co. v. Teleflex Inc., et al., Docket No. 04-1350 (U.S. 30 April 2007).

Regarding claim 2, **Kang** discloses the alphabetical keypad has a QWERTY layout [e.g., *see Fig. 5*], and the left set of one or more rows of alphabetical input keys include a top row with alphabetical input keys corresponding to letters Q, W, E, R, T, Y (e.g., *see Figs. 3, 5; Paragraphs 16-17 and 20-21*).

Wherein **Kang** discloses the number rows -- and therefore the number of keys per row -- is variable (e.g., *see Paragraph 13*) to suit design preferences.

Regarding claim 4, **Kang** discloses the one or more respective arc centers of the left set of one or more rows of input keys are concentric and the one or more respective arc centers of the right set of one or more rows of input keys are concentric (e.g., see *Figs. 3, 5; Paragraphs 16-17 and 20-21*).

Regarding claim 5, **Kang** discloses the one or more respective arc centers of the left set of one or more rows of input keys are collinear and the one or more respective arc centers of the right set of one or more rows of input keys are collinear (e.g., see *Figs. 3, 5; Paragraphs 16-17 and 20-21*).

Regarding claim 6, **Kang** discloses the one or more respective arc centers of the left set of one or more rows of input keys are collinear and located in at least one of a vertical line and a horizontal line and the one or more respective arc centers of the right set of one or more rows of input keys are collinear and located in at least one of a vertical line and a horizontal line (e.g., see *Figs. 3, 5; Paragraphs 16-17 and 20-21*).

Regarding claim 7, **Kang** discloses the one or more respective arcs of the left set of one or more rows of alphabetical input keys and the one or more respective arcs of the right set of one or more rows of alphabetical input keys include radii of curvature between 10 mm and infinity (e.g., see *Figs. 3, 5; Paragraphs 16-17 and 20-21*).

Moreover, it would have been obvious to one of ordinary skill in the art at the time of invention, because this particular known technique of adjusting the radii of curvature was recognized as part of the ordinary capabilities of one skilled in the art, and would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

Regarding claim 8, **Kang** discloses the one or more respective arcs of the left set of one or more rows of alphabetical input keys and the one or more respective arcs of the right set of one or more rows of alphabetical input keys form respective angles between 0 and 90 degrees with respect to the centerline (e.g., see Figs. 3, 5; Paragraphs 16-17 and 20-21).

#### ***Response to Arguments***

14. Applicant's arguments filed on 29 June 2009 have been fully considered but they are not persuasive.

The Applicant contends, "*In regard to independent claim 1, the combination of the cited references does not disclose, teach, or suggest, among other things, the left set of one or more rows of alphabetical input keys and the right set of one or more rows of alphabetical input keys arranged in one or more respective arcs with respective arc centers located to the left/right of the centerline and 'the left set of one or more rows of alphabetical input keys and the right set of one or more rows of alphabetical input keys are sandwiched between the display and the numeric keypad, and the alphabetical keypad, the display, and the numeric keypad are vertically*

*aligned and include a common centerline through the mobile phone.' "* (see Page 12 of the Response filed on 29 June 2009). However, the examiner respectfully disagrees.

**Kang** discloses the left set [e.g., *Fig. 3: 8*] of one or more rows of alphabetical input keys [e.g., *Fig. 3: 32; Fig. 5: 34*] and the right set [e.g., *Fig. 3: 6*] of one or more rows of alphabetical input keys arranged in one or more respective arcs [e.g., *Fig. 3: 40*] with respective arc centers located to the left/right of the centerline [e.g., *Fig. 3: 9*] (e.g., see Paragraphs 16-17 and 20-21).

**Hughes** discloses the left set [e.g., *Fig. 13: Q, W, E, R, T*] of one or more rows of alphabetical input keys [e.g., *Fig. 13: 14*] and the right set [e.g., *Fig. 13: Y, U, I, O, P*] of one or more rows of alphabetical input keys are sandwiched between the display [e.g., *Fig. 13: 12*] and the numeric keypad [e.g., *Fig. 13: 16*] (e.g., see Column 3, Lines 35-60 and Column 9, Line 8 - Column 11, Line 40).

**Cargin** discloses the left set of one or more rows of alphabetical input keys [e.g., *Fig. 13: 322*] and the right set of one or more rows of alphabetical input keys are sandwiched between the display [e.g., *Fig. 13: 319*] and the numeric keypad [e.g., *Fig. 13: 321*], and the alphabetical keypad, the display, and the numeric keypad are vertically aligned and include a common centerline [e.g., *Fig. 13: vertical line dividing the terminal 318 in half*] through the mobile phone (e.g., see Column 20, Line 25 - Column 24, Line 2).

**Makela** discloses the alphabetical keypad [e.g., *Fig. 1: 3*], the display [e.g., *Fig. 1: "Hi Mom..."*], and the numeric keypad [e.g., *Fig. 1: 2*] are vertically aligned and include a common centerline [e.g., *Fig. 1: vertical line dividing the phone 1 in half: 2-5-8-0-E-I-F-K-C-,SPACE*] through the mobile phone (e.g., *see Column 1, Line 4 - Column 2, Line 65*).

Applicant's arguments with respect to *claims 1, 2, and 4-8* have been considered but are moot in view of the new ground(s) of rejection.

By such reasoning, rejection of the claims is deemed necessary, proper, and thereby maintained at this time.

### ***Conclusion***

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Piziali whose telephone number is (571) 272-7678. The examiner can normally be reached on Monday - Friday (6:30AM - 3PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chanh Nguyen can be reached on (571) 272-7772. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jeff Piziali/  
Primary Examiner, Art Unit 2629  
26 April 2010